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Attorneys for Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KELLY CALZADA, individually and on
behalf of all others similarly situated,

Plaintiff

v.

ALLEGiant TRAVEL COMPANY,

Defendant.

Case No. 2:24-cv-01402-DJC-DB

Judge Daniel J. Calabretta

**STIPULATION TO STAY PENDING
MEDIATION**

1 Plaintiff Kelly Calzada ("Plaintiff") and defendant Allegiant Travel Company
2 ("Defendant") (collectively, the "Parties"), by and through their respective counsel, hereby
3 stipulate and agree as follows:

- 4 1. Plaintiff filed her Complaint against Defendant on May 16, 2024. Dkt. 1.
- 5 2. Defendant timely filed its Motion to Dismiss ("Motion") on June 25, 2024. Dkt.
6 12. The Motion is fully briefed.
- 7 3. The Motion is currently set for hearing on October 17, 2024 at 1:30 p.m. Dkt.
8 19.
- 9 4. No other deadlines have been set by the Court.
- 10 5. The Parties have agreed to take this case to private mediation in hopes of
11 reaching a potential resolution at an early stage, before expending additional resources
12 on motion practice and discovery. The parties are exchanging availability and selecting a
13 mediation date no later than January 2025, and expect to have the date finalized shortly.
- 14 6. The Parties agree that staying this case pending mediation will conserve
15 judicial resources, minimize costs and fees, and allow the Parties to direct their resources
16 to preparing for and participating in mediation. The Parties further agree that a brief stay
17 pending mediation will not result in unreasonable delay.
- 18 7. Accordingly, the Parties believe there is good cause to stay this case
19 pending the mediation.

20 WHEREFORE, IT IS HEREBY STIPULATED AND AGREED TO BY THE
21 PARTIES AS FOLLOWS:

22 This case shall be stayed pending the Parties' private mediation. The hearing set
23 for October 17, 2024 at 1:30 p.m. shall be taken off calendar, subject to rescheduling if
24 the mediation is unsuccessful. The Parties shall file a status report within fourteen (14)
25 days of the conclusion of the mediation, informing the Court of resolution status and/or
26 setting forth a proposed hearing date for Defendant's Motion to Dismiss (Dkt. 12).
27
28

1 **IT IS SO STIPULATED.**

2
3 Dated: September 20, 2024

Respectfully submitted,

4 **BURSOR & FISHER, P.A.**

5 By: /s/ Sarah N. Westcot

6 Sarah N. Westcot

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8 Sarah N. Westcot (State Bar No. 264916)
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16 *Attorneys for Plaintiff*

17 * *Pro Hac Vice Forthcoming*

18
19 Dated: September 20, 2024

20 **VEDDER PRICE P.C.**

21 By: /s/ Blaine C. Kimrey

22 Blaine C. Kimrey

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Attorneys for Defendant

ORDER

Having reviewed the parties' stipulation and good cause appearing, IT IS ORDERED:

This case shall be stayed pending the Parties' private mediation. The hearing set for October 17, 2024 at 1:30 p.m. shall be taken off calendar, subject to rescheduling if the mediation is unsuccessful. The Parties shall file a status report within fourteen (14) days of the conclusion of the mediation, informing the Court of resolution status and/or setting forth a proposed hearing date for Defendant's Motion to Dismiss (Dkt. 12).

IT IS SO ORDERED.

Dated: September 23, 2024

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE